THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No: 2365 of 1995

Between:

S.Srikanth.

..... PETITIONER

AND

A.P.State Electricity Board and others.

.....RESPONDENTS

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ORDER:

In this writ petition, the petitioner questions the action of the respondents in not appointing him in the post of Helper, pursuant to the interviews held in the months of September and October, 1993. The petitioner seeks a consequential direction to the respondents to appoint him in the vacancies, which arose consequent upon termination of 52 ineligible candidates.

The grievance of the petitioner is that, he along with several others appeared for selection for being appointed to the post of Helper in the respondent Corporation in the months of September and October, 1993, selections were made to fill up 350 posts in the 2nd respondent circle, and candidates sponsored by the local employment exchange were considered for employment, including the petitioner herein. However, the petitioner was not selected. Subsequently, from among the 350 persons appointed, it was found that 52 persons had produced bogus certificates with regards their qualification and that they were not eligible for appointment. Consequently appointment of 52 helpers was cancelled. Petitioner would submit that he is entitled to be considered afresh to one of these 52 vacancies.

A counter affidavit is filed on behalf of the respondents, wherein, while admitting that the services of 52 employees were terminated consequent upon their producing bogus certificates, it is stated that since the selection process has been completed and intimation thereof was sent to the employment exchange, if these 52 posts are required to be filled up, it can be done only through a regular process of selection, inviting applications afresh from amongst candidates whose names are sponsored by the employment exchange. It is stated that the respondent Board has imposed a ban on recruitment and the said ban continuous till date, and in such circumstances, the question of filling up of these 52 vacancies does not arise.

The petitioner, having participated in the selection process and having failed to get selected as a helper, is not entitled to claim that he should be considered afresh for appointment in any of the 52 vacancies of helpers which arose consequent upon the termination of services of those 52 helpers, who had produced bogus certificates, since these vacancies can only be filled up through a regular selection process, inviting applications from all eligible candidates. The petitioner's contention that he

alone should be considered for appointment in any one of these 52 posts cannot therefore be accepted.

The relief sought for in this writ petition is wholly misconceived. The writ petition fails and is accordingly dismissed. There shall however be no order as to costs.

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20-02-2006

Prv